

AMERICAN FALLS SCHOOL DISTRICT NO. 381

Ronald R. Bolinger, Ed. D.
Superintendent

827 Fort Hall Avenue
American Falls, Idaho 83211
(208) 226-5173



June 19, 2003

FCC
Office of the Secretary
445 12th Street SW
Washington, DC 20554

RECEIVED & INSPECTED

JUN 30 2003

FCC - MAILROOM

Re: CC Docket No. 02-6

Billed Entity Number: 142579
471 Application Number: 380611
Funding Request Numbers: 1048605, 1048920, 1048996, 1049056, 10449116,
1049174, 1049221, 1049267, 1049312, 1049597,
1049656, 1049691, 1049736
Your Correspondence Dated: June 9, 2003 (copy attached)

This letter is an appeal of the USAC's Schools and Libraries decision to deny the American Falls School District's Erate application for FY 2004. The denial was based on a one day late submission of the signature page that accompanies the electronic application method. The school district believes there were extenuating circumstances and asks the FCC to review those circumstances (expressed herein) and determine if they are sufficient to stay the denial and approve our application. Simply put, we need your forgiveness and help regarding a simple error on our part in the application procedure.

The American Falls School District has participated in the Erate Program since its inception and has been able to use the savings from the Erate program to meet the goals for the program. We have developed and implemented a comprehensive Technology Plan which enables our students to become technologically literate and the savings from the Erate Program enables our staff, through appropriate training, to become skilled in the use of technology to enhance instruction. Further, savings from the Erate Program has enabled our district to keep up with advances in technology through equipment up-grades and continued staff development. Erate is an important part of our district's financial structure and we are very appreciative of the program and the opportunities it has created for our students.

Circumstances regarding the error in filing that resulted in the denial of the application. During the first three years of the Erate Program the district's Technology Director was responsible for the application process. That individual left the district and the responsibility fell to me, the district's Curriculum and Special Programs Director. I initially found the Erate process to be rather complex and worked diligently to understand

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DATE 6/20/03

the process and manage the various filings and reporting processes. I was able to complete the 2003 year's work, which my predecessor put in place and thought that I had the 20004 application process well in hand, when in fact I missed an important element.

As you can see by the attached copy of the USAC's decision letter, I erroneously assumed that because the application process was electronic and was turned off at the deadline, and because I finished all but the signature submission prior to the deadline that our application was safe and sound. Even though we had previously submitted a written request to change the identity of the person who had the authority to represent the district in the Erate process, I had difficulty with the electronic signature part of the electronic filing. I was unable to obtain a PIN for the electronic signature and decided to use the paper signature process. What I did not realize was the paper signature process was time sensitive. I assumed that because the application was electronically completed prior to the deadline, the signature would be accepted via the mail. Subsequently it was postmarked the next day, one a day late by the rules of the process. I accept responsibility for this error. Ironically, it would have been just as easy to post mark the signature page the same day as the completion o the e-filing. I simply did know that it would create a problem.

On behalf of American Falls Schools, I am asking that you please consider the negative impact the denial of our application will have on our technology plan and to accept my apology for missing the detail of the signature / timing rule and to approve our application. The transition of responsibility from the former Technology Director to me has been a learning experience and hopefully my error will not adversely affect our students.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "R Johnston", with a stylized flourish at the end.

Dr. Roger Johnston
Director of Curriculum and Special Programs.

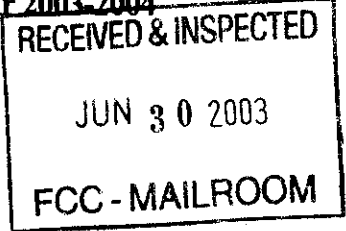


Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2003-2004

June 9, 2003

Dr. Roger Johnston
American Falls School District No. 131
827 Fort Hall Avenue
American Falls, ID 83211



Re: Billed Entity Number: 142579
471 Application Number: 380611
Funding Request Number(s): 1048605, 1048920, 1048996, 1049056,
1049116, 1049174, 1049221, 1049267,
1049312, 1049597, 1049656, 1049691,
1049736
Your Correspondence Dated: March 18, 2003

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision in regard to your appeal of SLD's Year 2003 Funding Commitment Decision for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one Application Number, please note that for each application for which an appeal is submitted, a separate letter is sent.

Funding Request Number: 1048605, 1048920, 1048996, 1049056, 1049116,
1049174, 1049221, 1049267, 1049312, 1049597,
1049656, 1049691, 1049736

Decision on Appeal: **Denied in full**

Explanation:

- Your appeal letter states that the 471 form was not late as stated in the letter you received from SLD. The 471 was filed electronically, which precludes late filing. The signature page was late by one day's postmark due to technical difficulties on the website which did not allow you to file electronically.
- When Blocks 1-5 of the Form 471 are submitted online, the applicant must also (1) submit the completed Block 6 certification online with a user ID and a PIN or (2) submit the completed and signed paper Block certification by mail, express delivery or U.S. Postal Services Return Receipt Requested. According to our

records the completed Block 6 certification of this Form 471 was postmarked February 7, 2003. Per the program rules for Funding Year-2003, Form 471's Block 6 certification with the signature of the authorized person must be received by 11:59 p.m. EST on February 6, 2003 or postmarked on or before February 6, 2003 in order for the request to receive consideration as inside the window. Since your form did not meet this filing requirement, SLD correctly rejected this request for discounts. There were no overall systems problems reported that would have prevented you from filing electronically. SLD has established a policy that imposes upon applicants the responsibility of submitting all the filing material in a timely fashion. Your appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be RECEIVED BY THE FCC WITHIN 60 DAYS OF THE ABOVE DATE ON THIS LETTER. Failure to meet this requirement will result in automatic dismissal of your appeal. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use either the e-mail or fax filing options because of continued substantial delays in mail delivery to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company